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**BEFORE THE BOARD OF MEDICAL EXAMINERS
IN THE STATE OF ARIZONA**

In the Matter of:

**LIEM SOM OEI, M.D.
Holder of License No. 16139
For the Practice of Medicine
In the State of Arizona**

Re: Investigation No. MD-98-0861

**CONSENT AGREEMENT
FOR ORDER OF PROBATION**

CONSENT AGREEMENT FOR ORDER OF PROBATION

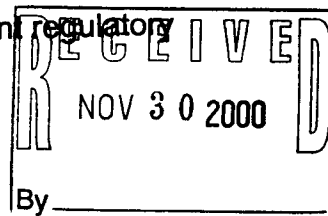
By mutual agreement and understanding, between the Arizona Board of Medical Examiners (hereafter "Board") and Liem Som Oei, M.D., the parties agree to the following disposition of this matter.

1. Dr. Oei acknowledges that he has read this Consent agreement and the attached stipulated Findings of Fact, Conclusions of Law and Consent Order; and, he is aware of and understands the content of the documents. Dr. Oei acknowledges that he understands he has the right to consult with legal counsel regarding this matter and has done so or chooses not to do so.

2. Dr. Oei understands that by entering into this Consent agreement for issuance of the foregoing Consent Order he voluntarily relinquishes any rights to a hearing or judicial review in state or federal court on the matters of fact or law alleged in the Consent Order or to challenge this Consent agreement and the Consent Order in its entirety as issued by the Board and waives any other cause of action related thereto or arising from said Board Orders.

3. Dr. Oei acknowledges and understands that this Consent agreement and the Consent Order will not become effective until approved by the Board and signed by its Executive Director.

4. All admissions made by Dr. Oei are solely for final disposition of this matter and any subsequent related administrative proceedings or civil litigation involving the Board and Dr. Oei. Therefore, said admissions by Dr. Oei are not intended or made for any other use, such as in the context of another state or federal government regulatory



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2 agency proceeding, civil or criminal court proceeding, in the State of Arizona or any
3 other state or federal court.

4 5. Dr. Oei acknowledges and agrees that, upon signing this agreement, and
5 returning this document (or a copy thereof) to the Board's Executive Director, Dr. Oei
6 may not revoke acceptance of the Consent agreement and Consent Order or make any
7 modifications to the document, although said Consent agreement and consent Order
8 has not yet been accepted by the Board and issued by the Executive Director. Any
9 modifications to this Consent agreement and Consent Order are ineffective and void
10 unless mutually approved by the parties.

11 6. Dr. Oei further understands that this Consent agreement and consent Order,
12 once approved and signed, shall constitute a public record document which may be
13 publicly disseminated as a formal action of the Board.

14 7. If any part of the Consent agreement and Consent Order is later declared illegal
15 or otherwise unenforceable, the remainder of the Consent Order in its entirety shall
16 remain in force and effect.

17
18 REVIEWED AND ACCEPTED this LIEM SOM OEI, M.D.
19 29th day of November 2000
20

21 Original of the foregoing sent via FAX to Dr. Oei's attorney
22 FOR THE DOCTOR'S SIGNATURE and return
23 This 14 day of November 2000 to:

24 Connie Diekema, Attorney for Dr. Oei
25 604 Locust, St. 400
26 Des Moines IA 50309
27 FAX: 515-288-2724

28 Tom Diekema
29 BOMEX Board Operations
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3 **FINDINGS OF FACT**
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5 1. BOMEX is the duly constituted authority for the regulation and control of the
6 practice of medicine in the State of Arizona.

7 2. Dr. Oei is the holder of License No. 16139 for the practice of medicine in the
8 State of Arizona.

9 3. The Iowa Board of Medical Examiners filed a statement of charges against Dr.
10 Oei on April 30, 1997 concerning allegations involving inappropriate contact and
11 sexually related acts of impropriety.

12 4. After discussion about the financial expenses required to defend Dr. Oei, he
13 agreed to enter into a settlement agreement with the Iowa Board.

14 5. On December 12, 1997, Dr. Oei entered into a Settlement Agreement with the
15 Iowa Board of Medical Examiners which requires him to have a female chaperone
16 present at all times during examinations of all patients and in which Dr. Oei agrees not
17 to treat patients who meet the criteria described in the Diagnostic and Statistical Manual
18 of the American Psychiatric Association, DSMj-IV, 300.12, 300.13 or 300.14 except in
19 emergency cases.

20 **CONCLUSIONS OF LAW**

21 1. BOMEX possesses jurisdiction over the subject matter thereof and over Liem
22 Som Oei, M.D.

23 2. Dr. Oei's actions under Findings of Fact 3 through 5 above constitute
24 unprofessional conduct under A.R.S. § 32-1401(25)(o) (Action taken against a doctor of
25 medicine by another licensing or regulatory jurisdiction due to that doctor's mental or
26 physical inability to engage safely in the practice of medicine, his medical incompetence
27 or for unprofessional conduct as defined by that jurisdiction and which corresponds
28 directly or indirectly to an act of unprofessional conduct prescribed by this paragraph.)

29 **ORDER**

30 Based upon the above Findings of Fact and conclusions of Law and pursuant to
the authority granted to the Board by A.R.S. § 41-1092.07(F)(5), A.R.S. § 32-

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2 1451(G)(5), and A.R.S. § 32-1451(S) (1) and (2), IT IS HEREBY ORDERED that
3 License No. 16139, issued to Liem Som Oei, M.D., for the practice of allopathic
4 medicine in the State of Arizona, be placed on probation for five (5) years with the
5 following conditions:

6 1. The probation is stayed until such time as Dr. Oei begins the active practice in
7 the state of Arizona.

8 2. If Dr. Oei begins the active practice of medicine in Arizona, he shall have a
9 female chaperone present at all times during examinations of all patients, and the
10 chaperone shall legibly sign the patient's chart at the time of the examination.

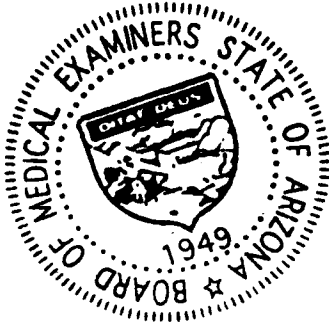
11 3. If Dr. Oei begins the active practice of medicine in Arizona, he shall not treat
12 patients who meet the criteria described in the Diagnostic and Statistical Manual of the
13 American Psychiatric Association, DSMj-IV, 300.12, 300.13 or 300.14 except in
14 emergency cases.

15 a. After the probationary period has been active for one year Dr. Oei may
16 petition the Board to terminate or modify the probationary order.

17
18 DATED and effective this 15th day of December, 2000.

19 BOARD OF MEDICAL EXAMINERS
20 OF THE STATE OF ARIZONA

21 (SEAL)



22 By

Claudia Foutz

CLAUDIA FOUTZ

Executive Director

TOM ADAMS

Assistant Director, Regulation

25
26 ORIGINAL of the foregoing filed
27 18th day of December, 2000, with:

28 The Arizona Board of Medical Examiners
29 9545 E. Doubletree Ranch Road
30 Scottsdale, AZ 85258

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2 EXECUTED COPY of the foregoing mailed by
3 Certified Mail this 18th day of December 2000, to:

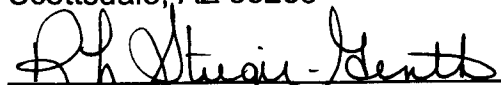
4 Liem Som Oei, M.D.
5 1379 Fox Ridge Trail
6 Sioux City, IA 51104

7 EXECUTED COPY of the foregoing mailed
8 This 18th day of December 2000, to:

9 Connie Diekema
10 Attorney for Dr. Oei
11 604 Locust, Ste. 400
Des Moines IA 50309

12 EXECUTED COPY of the foregoing hand-delivered
13 this 18th day of December 2000, to:

14 Richard Albrecht, Assistant Attorney General
15 Legal Counsel to the Board
16 Arizona Board of Medical Examiners
17 9545 E. Doubletree Ranch Road
Scottsdale, AZ 85258

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19 Board Operations
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